

Legal Writing in the Twenty-First Century: The First Images

A Survey of Legal Research and Writing Programs

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In 1983, in response to the first waves from the "Big Bang" to hit the earth's atmosphere, astronomers began the process of inventing technology to extend human sight. What lay beyond our sight, beyond the distortions created by our atmosphere, were precise views of space that might explain our origins by revealing images and dimensions of space previously unseen, perhaps even allowing us to see our future. What was needed was a telescope that would function in space, sending accurate images back to earth.

In the same year, waves of unrest arose in the Legal Research and Writing² community, indicating that a profession previously thought of as temporary was here to stay. The Legal Writing Institute³ formulated a Statement of Job Security for Legal Writing Professionals, demanding treatment equivalent to other full-time professionals in legal education. Since that time, Legal Research and Writing programs have come and gone, some growing red hot, then exploding and disappearing into black holes, while others sparkled consistently and steadily throughout the last decade. Our present vision of these programs and their origins has been dim, distorted by an atmosphere that has made communication among schools haphazard, anecdotal, and random. What was needed was a national survey.

In response to this need, the Legal Research and Writing (LRW) professional community called for data, a new telemetry to focus our blurry vision. At its 1988 convention, the members of the Legal Writing Institute voted to survey all law schools: first, to gather data on the structure, content, demographic context, and resource allocation of current LRW programs;⁴ second, to gather together complete LRW program descriptions. This data would then be catalogued and shared for efficient development of both new and existing programs.⁵ The scope of this project would exceed anything previously done in the field. Earlier surveys⁶ had

been quickly outdated because of the rapid turnover in LRW personnel⁷ and the meteoric nature of new LRW program models.⁸ The survey reported in this article, then, is the most recent and comprehensive survey of its kind.⁹

Further, this survey was designed to allow legal educators to move beyond the data to new visions of legal education. From this data, educators might extrapolate ideas for restructuring programs in the future, for reinforcing teaching methods and techniques, and for evaluating the treatment of LRW professionals in the legal education community. Educators might also gain insights into transforming legal curricula at large, which must prepare law students for twenty-first century practice and scholarship. As technology increasingly informs and invades legal education, Legal Research and Writing courses will provide the means through which students develop skills in analyzing, information-sifting, synthesizing, translating, and documenting. With the growth of this technology, LRW courses must be developed, integrated with all courses, expanded, and properly funded.

This article explores how the legal education community might use these findings to improve twenty-first century law curricula. Reported here is current information about LRW programs, using mirrors ground as precisely as possible, considering the diverse nature of LRW programs. This article does not exhaustively explore each of the survey's 108 questions, some of which received only two or three responses; rather, it concentrates on those questions that received a response rate of greater than fifty percent. In doing so, it attempts to bring into focus the first images.

A subsequent article will look to our LRW origins to suggest other images for the future. Those images of twenty-first century legal education suggest long-term changes that will better prepare the next generation to analyze, research, and write effectively.

I. GATHERING THE DATA

The survey was launched in January 1990, at the AALS¹⁰ convention. Subsequently, surveys were mailed to those schools in the AALS directory that had not received one at the convention and to those schools that requested replacements. Volunteers phoned schools who had not returned a survey by April; some schools updated surveys later in the spring and summer. Those updated versions have been included here. Surveys were triple-checked for accuracy once the data had been entered.

Formulating questions uniform to all LRW programs was impossible. Some schools responded by tailoring the survey to their

programs, sometimes answering the same question with more than one response. In these instances, the responses were averaged; otherwise a response was randomly chosen and entered. Some questions were not asked at all. For example, the survey did not ask for a comparison of the LRW budget to an institution's overall budget because many LRW professionals do not have access to budget information. Also, the survey could not take into account the varied permutations and combinations of personnel that many schools use in structuring their programs. For example, some schools might have a full-time, tenure-track director, instructors hired for one-year contracts, and students who give some feedback on papers. Other schools might have an "Adjunct" model that also uses students and has a tenured director. Historically, the driving force in creating LRW programs has been to find the cheapest, not the best, structure and method.¹¹ The survey therefore asked schools to categorize themselves into one of five models, according to who teaches LRW: Full-Time, Tenure-Track faculty, Full-Time, Non-Tenure-Track professionals, Adjuncts, Law Students, or Graduate Students. Because of the hybrid nature of certain programs, some schools filled out questions pertaining to more than one category. To clarify the results, the tabulation here is redefined as follows:

- 1) "Full-Time, Tenure-Track" refers to programs that have only full-time tenure track personnel;
- 2) "Full-Time, Non-Tenure-Track" refers to any program that checked Full-Time, Non-Tenure-Track on the survey, even if that program also checked Full-Time, Tenure-Track and any other category;
- 3) "Part-Time Adjuncts" refers to any program that checked Part-Time Adjuncts and any other program type, but did not check Full-Time, Non-Tenure-Track;
- 4) "Students" refers to any program that checked either graduate students or law students but did not check Full-Time, Non-Tenure-Track or Part-Time Adjuncts.

The tables that follow the text break down the information by program type, by school type - public or private, and by school size. These tables may thus be used to design new programs or to update current ones. As an exploring probe, this survey joins its predecessors in sending some descriptive signals to legal educators about LRW programs and raises questions that future missions will have to explore more accurately.

II. SUMMARY OF FINDINGS

Most LRW programs are confined to the first year. Thus, most training in retrieving, sifting, analyzing, organizing, and translating information is confined to a time when students are also being introduced to the socio-linguistic culture of legal discourse.¹² Further, few schools require any research and writing, nor do students receive feedback from professors, beyond the first year.¹³ Many schools offer the option of taking upper-level courses, but few require them, so many students can escape without further training or reinforcement of analysis, research, and writing techniques beyond the law school exam.

Legal Research and Writing professionals carry the load for individual feedback on writing, through written feedback and conferences. Most LRW professionals comment on 75%-100% of the papers.¹⁴ Legal Research and Writing professionals do most of the commenting on papers, even in programs that include student assistance.¹⁵ Combined with the student-faculty ratio, this creates a staggering amount of work. Most schools show a high student-teacher ratio,¹⁶ and over half show a ratio of over fifty students to one LRW professional, a number that is far above the optimal class size for teaching writing effectively.

Further, many schools show a high turnover in LRW professionals, who stay between two and five years. This turnover may be the result of the heavy workload combined with low pay and status. Most LRW professionals earn between \$20,000 and \$30,000 a year.¹⁷ Status is usually temporary, with only ten schools offering LRW professionals tenure track positions or long-term contracts.¹⁸ Low pay and status persist despite a significant number of years in practice or teaching: LRW professionals average six to eight years of legal practice before they teach legal writing.¹⁹ Most law schools determine starting salary of faculty by years since graduation and by scholarly achievement, yet these criteria seem to be ignored when hiring LRW professionals.

LRW programs are also plagued by small budgets - the average is less than \$50,000 - regardless of the size of the law school or its status as public or private.²⁰ Consequently, LRW professionals have few resources and little encouragement to develop new programs or to expand their programs into the second and third years.²¹

The survey reveals, then, that current law curricula do not emphasize practice in translating analysis into effective communication, nor do they emphasize techniques for efficient retrieval of in-

formation. The result is that law school graduates are not only ill-prepared for immediate practice or scholarship, but are also ill-equipped to continue developing professionally. Law firms, for example, should not have to "pick up the difference" in training new associates; public interest jobs cannot. Future legal practice and scholarship require more expansive training now.

III. SURVEY RESULTS

A. Participants

Surveys were sent to schools listed in the AALS directory, including ABA-accredited and unaccredited schools. Of the 163 AALS members to which surveys were sent, 130 responded, a return rate of eighty percent.

Over half of the schools surveyed showed a law school population of between 400 and 800 students; thirty-four percent had populations of 400-600, and twenty-three percent of 600-800. Fifteen percent had fewer than 400 students, and twenty-nine percent had more than 800. Forty-two percent of the schools were private and fifty-eight percent public. Of the 130 that responded, ninety-six percent were ABA-accredited institutions.²²

B. Choice of Faculty for LRW Programs

Five models were chosen for categorizing types of LRW faculty.²³ The models were based on information received from the Legal Writing Institute's semi-annual conferences. Of these five models, Full-Time Professionals on Non-Tenure-Track Contracts is the most prevalent: fifty-eight percent of the schools hire full-time, non-tenure-track professionals to teach LRW. Eighteen percent use full-time, tenure-track faculty, and seventeen percent use adjuncts. Seven percent still use only students to teach LRW.

C. Structure of Programs

The survey revealed a wide variety in the structural designs of LRW programs. Whatever the design, LRW courses are still largely concentrated in the first year. Seventy-nine percent of the schools responding require a two-semester course in LRW. This is the traditional structure. Nine schools have a one-semester requirement, and only seventeen schools require more than two semesters of LRW training.²⁴

Half of the schools responding reported that they teach legal research as a separate course.²⁵ Half of those schools teaching legal

research separately do so through librarians.²⁶

Programs are generally structured with a high student-teacher ratio, but nevertheless require extensive individual feedback to students from the LRW professor.²⁷ Forty-two percent of the schools reported a student-teacher ratio of over fifty students to one LRW professional; almost half of that number showed a ratio higher than seventy-five to one.²⁸ Thirty-two percent of the professionals meet in class once a week with students; the rest meet two or more times per week.²⁹ Thus, LRW professors have frequent face-to-face hours with students, to whom they must also give individual feedback.

D. Grading and Integration of LRW with Other Courses

Seventy-five percent of the schools reported grading the first-year LRW course and averaging that grade with all other courses.³⁰ Only twenty-two schools reported a Pass-Fail or Honors-Pass-Fail system that was not averaged in with other grades. Only thirty percent of the schools showed substantive integration of LRW assignments with those of other courses.³¹ This separation of LRW from the rest of the curriculum may send the same mixed message to students that a separate research class does: that active library research and legal analysis are separate intellectual functions.

E. Content of First-Year LRW Courses

The content of LRW courses falls into at least three categories: researching, writing, and speaking. Legal analysis is integral to all three areas, and so it was not singled out as a separate category.

In teaching research, LRW courses showed a rich variety, but could barely cover the tip of the legal research iceberg in the first year. While almost all schools responding used open research problems,³² research on specific tasks,³³ Westlaw and Lexis training,³⁴ and citation training,³⁵ fewer than forty percent introduced research in legislative history or administrative law.³⁶ In teaching writing, LRW courses still prefer the legal memorandum³⁷ and the appellate brief.³⁸ But the choices have expanded: some programs also require client letters,³⁹ pretrial briefs,⁴⁰ drafting documents,⁴¹ trial briefs,⁴² and law review articles.⁴³ Most schools require rewrites of written projects, now a widely accepted methodology for effective teaching,⁴⁴ but seventeen schools still do not.

Responding to these papers and rewrites, LRW professionals and their assistants provide a great deal of feedback, a superhu-

man task. Eighty percent of the programs provide for written feedback on more than four assignments per year,⁴⁶ and in eighty-eighty percent of the schools, commenting is done by the LRW professional.⁴⁶ That professional comments on seventy-five to one hundred percent of the papers in seventy percent of those schools. In addition, LRW professionals hold numerous conferences with the students: three or more per semester in forty-eight percent of the schools.⁴⁷ Thus, the potential for burnout is enormous; this is an astronomical amount of work to require of any one professional, which is exactly the reason other faculty members wish to avoid commenting.⁴⁸ That burnout leads to frequent turnover, a disruption that prevents LRW programs from evolving effectively.

Most programs still require the appellate brief, or moot court, argument. Seventy-five percent of the programs formally include moot court as part of the LRW program.⁴⁹ Eighty-three percent include an appellate brief argument.⁵⁰ Some programs require additional speaking skills, such as arguing a pretrial motion,⁵¹ making in-class presentations,⁵² and giving objective arguments or some other presentation,⁵³ thus broadening the range of oral skills required.

F. Upper-Level Courses

Only seventeen of the schools surveyed have upper-level LRW requirements.⁵⁴ Sixty percent of the schools, however, offer optional upper-level LRW courses, including courses in legal drafting, appellate advocacy, specialized writing, and advanced research. Of those that do require upper-level writing courses, only fourteen schools require professors to give students comments on more than one draft of their paper.⁵⁵ Absent required upper-level LRW course work, second- and third-year students can graduate from most law schools in the United States without doing any intensive writing beyond the first year and without getting any feedback. Beyond the first learning stages of thinking, then, students' ability to sift information and translate it effectively goes unguided.

G. LRW Faculty

Professionals teaching LRW courses come to the job as experienced lawyers. Over half have practiced for three to five years before teaching LRW courses; thirteen percent have had six to ten years' experience; and four percent have practiced for more than ten years.⁵⁶ No longer the "female ghetto" of legal education,⁵⁷ LRW courses now have almost as many males teaching as females.

Yet with this balance and with this expertise, the turnover in LRW professionals remains quite high: eighty-six percent remain for five years or less, and thirty-four percent remain for two years or less. Nine percent remain from six to ten years, and only five percent have remained on the faculty for over ten years.⁵⁸ Seventy-two percent of the programs have a separate Director,⁵⁹ thirty percent of the schools reported having full-time, tenure-track Directors, and twenty-seven percent of the schools reported using non-J.D. writing specialists.⁶⁰

H. Salaries and Budget

Despite their experience in practice, LRW professionals still receive extraordinarily low salaries. While eighty-five percent of the full-time, tenure-track faculty are in the \$50,000 to \$70,000 range, only five schools reported paying full-time, non-tenure-track LRW professionals that amount.⁶¹

Fifty-five percent of full-time LRW professionals make less than \$30,000 per year.⁶² Another fifteen percent make between \$30,000 and \$35,000, twelve percent make between \$35,000 and \$40,000 a year, and twelve percent make between \$40,000 and \$50,000 a year.⁶³

Adjuncts, whose part-time jobs may vary greatly, also receive varied salaries. Only six schools reported paying more than \$5,000 a year to adjuncts; five percent pay \$4,000 - \$5,000, and forty-four percent pay \$2,000 to \$4,000. Eighteen percent pay between \$1,000 and \$2,000, and eighteen percent pay \$1,000 or less.⁶⁴ Only one school reported paying students who are solely responsible for teaching the course.

Budget allocations beyond salaries stayed uniformly low, despite the size of the school or its public or private nature. Eighty percent of the schools spend less than \$50,000 annually for legal research and writing.⁶⁵ Four percent spend between \$50,000 and \$100,000, three percent between \$100,000 and \$150,000, and three percent more than \$150,000.⁶⁶ The logistics of teaching writing require resources similar to those in a law office: memos are disseminated, drafts turned in, examples handed out in class, supplemental course materials designed, audio-visual materials created and used, and so on. Considering the magnitude of these requirements, the resources allocated to LRW programs may be skeletal.

I. Status of LRW Professionals

For LRW professionals, jobs are not secure. Eighty-four per-

cent of the full-time, non-tenure-track professionals have only one-year contracts. While all but one school reported that those contracts are renewable, the situation still leaves professionals without the means to make long-term career plans.⁶⁷ Seven schools offered two- or three-year contracts, and only four offered contracts of more than three years.⁶⁸

Adjuncts similarly operate under one-year contracts.⁶⁹ Those contracts are also renewable, but probably do not affect long-term career plans for professionals who may practice and teach only one small section of students one night a week. Most adjunct model schools submitted descriptions of this nature: adjuncts teach one night a week and might have a student "contact" person on campus to assist them. Many of these adjuncts may not be trained in composition theory, linguistics, or teaching theory.

IV. SHORT TERM RECOMMENDATIONS

The survey reveals that LRW programs are becoming increasingly sophisticated and wide-reaching and are attracting professionals who bring years of practice to their classroom. A subsequent article will recommend in-depth, concrete changes law schools might consider in developing LRW for the twenty-first century. For the short term, however, legal educators might consider making the following changes to address the needs of progressive scholars and practitioners.

A. Integrating LRW with All Courses

Legal Research and Writing courses ought to be actively integrated with first-year and upper-level courses. Future scholars and practitioners should receive an integrated, institutional message: the most brilliant legal analysis is useful only if it is accurate and can be communicated effectively. Accuracy comes through mastery of sound legal thinking and research strategies; effective communication comes through steady, conscious practice of legal writing processes and techniques.⁷⁰

Integrating curricula fortifies the need for accuracy and effective communication. This message can be sent by teams of faculty members who reinforce each others' expertise. A Contracts professor who relies primarily on in-class speaking to sharpen students' analytical skills might introduce the LRW professor's memo on contract law by having students write a summary of a few cases just discussed in class. Those summaries could then become the first "notes" for developing analysis, research strategies, and prob-

lem-solving in the LRW course. Similarly, a LRW professor may introduce a unit on restrictive covenants in the fall through analysis and research of a client letter, and those letters might be the opening text of a now-shortened version of that unit in Property in the spring. Better yet, the Property and LRW professors might team-teach the unit on restrictive covenants, or the LRW and Contracts professors might teach unconscionability simultaneously - one through in-class speaking, the other through research and writing. In the Contracts class, that memo might serve as a take-home exam for Contracts. In another scenario, a unit might be created that requires students to research and write on restitution, with Property, Contracts, and LRW professors team-teaching the entire unit.

Whatever the means, students will have received the appropriate message: analysis is writing. This message ought to promote more exposure to speaking, reading, and writing, including writing under pressure. For example, LRW professors might encourage their students to use writing tasks to become faster and more efficient. They might suggest that students write drafts in short time slots, practicing writing under pressure, rather than treating assignments as term papers. Building up skills in focusing quickly and communicating under pressure will make them better exam writers and more efficient practitioners. Hearing this strong message about the intimate connection between legal analysis and writing, students will be more alert to developing expertise in all courses, in the first year and beyond.

B. Requiring Upper-Level LRW Courses

Students ought to continue their development in communicating effectively through required upper-level LRW courses. These requirements ought to include more feedback from professors to students on their writing. Without steady reinforcement of analysis through advanced research and writing techniques in the second and third years, students may find research and communication techniques atrophying and may leave law school with abilities that have been crippled by neglect. This can be a disaster.⁷¹ Students begin to limp, and few courses are available to offer either therapy or cure. While it once may have been possible for students to "pick up" research and writing, the sheer volume of information now makes that task nearly impossible without adequate training. For example, with no advanced work in administrative law research or in skills for sifting through masses of information, students may not find the law, or may not find it quickly enough. With no ad-

vanced work in communicating analysis with accuracy, originality, and creativity, students may not be able to do much more than summarize findings.

Advanced writing courses can take many forms. Upper-level seminars already require papers; professors might uniformly require at least one early draft of the paper and give detailed feedback in writing, through a conference, or both. Giving feedback efficiently and effectively is the expertise of LRW professors, who can hold seminars on approaches and techniques. Courses on specific subjects might be created, among which students can choose: the Law and Literature, Legislative Drafting, Transactional Writing, and Appellate Advocacy, for example. These courses can be team-taught, have limited enrollments, or be offered on a revolving basis to keep feedback quality high and burnout low. Or a course in Advanced Legal Research and Writing might be required in the second year, followed by Writing for the Scholarly Audience in the third year.⁷² Some schools offer Advanced Legal Research⁷³ or Advanced Legal Writing, either or both of which can be designed to continue the steady monitoring of approaches and techniques begun in the first-year course. In whatever upper-level courses are created, students ought to be actively analyzing, researching, and writing throughout their three years.

C. Moving Beyond the Law School Exam

All courses should involve some kind of writing and research beyond the law school exam. The law school exam tests certain skills, such as issue-spotting, but may leave others wholly neglected. For example, law students may spot issues and identify the law that matches that issue, then reach a conclusion without justifying that process. How does that happen? Without rehearsal. In-class writing exercises, midterm exams, group writing exercises, and practice exams can all aid students in rehearsing the complex translation of legal analysis into effective writing.

Legal Research and Writing professionals can suggest techniques for teaching effective analysis through short writing exercises that require minimum commenting, but create maximum benefits. For example, a Civil Procedure professor might require students to draft a complaint, first talking about complaints, giving some examples, and then discussing a specific set of facts. Students can write the complaint individually or in small groups, and the professor can then read and return the complaints, accompanied by three examples of effective versions. The students will get reinforcement of not only the analytical concepts behind drafting the

complaint, but also the problem-solving techniques involved in translating the complaint into a cogent written form.

D. Compensating Professionals

Finally, the legal education community must bring the salaries and status of LRW professors into line with those of other professionals. While another article will discuss the anomaly that has led to the current situation, this suggestion comes from the information glaringly revealed by this survey. The disparity in salaries between LRW professionals and their colleagues teaching other courses undermines the message that, as lawyers, we write. Lawyers analyze, research, think, and write for a living. One ability intersects with another, and only through effective communication can we be effective lawyers and scholars. To undermine the status, the earnings, and the job security of LRW professors is to undermine communicating itself. Seeing a law curriculum that fails to invest in LRW, students may fail to invest in their own development as communicators, and that failure is a failure for law.

V. CONCLUSION

Legal educators need to use this survey's first images to enhance the picture of LRW's place in the law curriculum. Legal writing professionals need to invent new, more precise means to explore ever-changing LRW programs and their increasingly sophisticated place in legal education. Together, we need to prepare our students to use technology, invention, and imagination to see, sort out, and solve tomorrow's problems.

NOTES

¹ A survey requires the work of many minds and hands. My thanks to the following people, whose work made this project possible: Susan Keller, Dawn Tarka, Jackson Mumey, Maura Griffith, Kate Wheble, and Lorraine Corporon; Maggie Emmanuel, Nancy Schultz, and Susan Brody; Chris Fuller, Cindy Simon, Sam Jackson, and Rebecca Thompson; and Eugene Vricella. Andrew Konstantaras prepared the final version of the survey, tabulated the results, and created the tables. Special thanks to Legal Research and Writing professionals across the nation for answering the survey with care and patience.

² Legal Research and Writing (LRW) courses include those courses designed to teach analysis, research, writing, and citation usage. These courses are concentrated in the first year. See *infra* Tables 3.1, 3.2 and 3.3.

³ The Legal Writing Institute was founded by J. Christopher Rideout and Laurel Oates at the University of Puget Sound School of Law in 1984. Its purpose is to unite LRW professionals intellectually, to share resources, and to monitor and encourage the development of effective LRW courses across the United States and Canada. Over 200 schools were represented at the July 1990 Conference.

⁴ The Institute's Board voted to send the survey, and George Gopen of Duke University

set the stage for enthusiastic response at the closing meeting of the convention. Ralph Brill of the Illinois Institute of Technology, Chicago-Kent formulated a preliminary survey in 1989, to which this survey is indebted.

⁶ The first purpose cannot be fully achieved in one article because the data is so diverse. See *infra* section III. The second purpose exceeds the scope of this article. Schools provided written summaries of their programs, and these summaries are filed with the Legal Writing Institute.

⁷ See Marjorie D. Rombauer, *First-Year Legal Research and Writing: Then and Now*, 25 J. Legal Educ. 538 (1973); Leonard L. Baird, *A Survey of the Relevance of Legal Training to Law School Graduates*, 29 J. Legal Educ. 264 (1978).

⁸ This rapid turnover continues to plague LRW programs, making long-term changes and improvements difficult, if not impossible. See *infra* note 68, and Tables 5.1, 5.2, and 5.3.

⁹ See, e.g., Flora Johnson, *Legal Writing Programs: This Year's Models*, 8 Student Law. 11 (February 1980). Unable or unwilling to devote extensive resources to LRW programs, many law schools try new models every few years, often without the benefit of any comprehensive information about what has or has not worked elsewhere. Indeed, this survey also suffers from the rapid turnover in personnel. Some schools filed one survey; then new personnel hired for the current academic year instituted changes and filled out new surveys, which have been incorporated here.

¹⁰ West Publishing Company began a survey in the summer of 1990 to evaluate Legal Research programs; its survey does not attempt to collect data on the writing aspects of programs or on the treatment of LRW professionals.

¹¹ Association of American Law Schools (AALS). Among its many functions, this organization sponsors an annual convention and mini-workshops for legal scholars. It is divided into specialty subsections, one of which is the section on Legal Analysis, Research, and Writing.

¹² See e.g., Stewart Macaulay and Henry G. Hanne, *A Low Cost Writing Program — The Wisconsin Experience*, 11 J. Legal Educ. 387 (1959).

¹³ See Lester Faigley, *Non-Academic Writing: The Social Perspective in Writing in Nonacademic Settings*, 231 (L. Odell and D. Goswami eds. 1985). Faigley suggests that professional writing is highly influenced by its social setting. In a law office, for example, a writer may face writer's block as much from pressure to make partner as by the subject of the lawsuit.

¹⁴ See *infra* Section IV.C. and F., and Tables 3.1, 3.2, and 3.3.

¹⁵ See *infra* Tables 5.1, 5.2, and 5.3.

¹⁶ See *infra* Tables 5.1, 5.2, and 5.3.

¹⁷ See *infra* Tables 11.1, 11.2, and 11.3.

¹⁸ See *infra* Table 9.

¹⁹ See *infra* Tables 6.1, 6.2, and 6.3.

²⁰ *Id.*

²¹ See *infra* Table 12. This includes all resources other than salaries.

²² See *infra* Tables 3.1, 3.2, and 3.3; 12; 13.1, 13.2, and 13.3.

²³ See *infra* Table 1. Percentages reflect the number of responses to the questions. Some surveys were blank on certain questions that were not pertinent to that program. Percentages are rounded to the next whole number.

²⁴ See *supra* Section I.

²⁵ See *infra* Tables 3.1, 3.2, and 3.3.

²⁶ This is surprising because legal research is an integral part of the analytical process that results in a written product. Further, legal research often occurs during the writing process as gaps in research appear, or as points must be refined. This recursive process is integral to legal thinking, and separating research from writing—even as an introduction gives a confusing message to the potential researcher and writer. Cf. Linda S. Flowers and John R. Hayes, *The Cognition of Discovery: Defining a Rhetorical Problem in THE WRITING TEACHER'S SOURCEBOOK* 92 (Gary Tate & Edward P.J. Corbett eds., 1988).

²⁷ This information does not appear in the Tables but was gathered from the responses to Questions 8 and 9 on the survey.

²⁷ See *infra* Tables 5.1, 5.2, and 5.3; 11.1, 11.2, and 11.3.

²⁸ See *infra* Tables 11.1, 11.2, and 11.3

²⁹ See *infra* Tables 3.1., 3.2, and 3.3.

³⁰ See *infra* Table 10.1.

³¹ See *infra* Tables 3.1, 3.2, and 3.3.

³² Seventy-three percent. See *infra* Table 4.

³³ Seventy-six percent. *Id.*

³⁴ Eighty-five percent. *Id.*

³⁵ Eighty percent. *Id.*

³⁶ *Id.*

³⁷ Ninety-seven percent. *Id.*

³⁸ Eighty percent. *Id.*

³⁹ Forty percent. *Id.*

⁴⁰ Twenty-seven percent. *Id.*

⁴¹ Twenty-seven percent. *Id.*

⁴² Twenty-percent. *Id.*

⁴³ Three percent. *Id.*

⁴⁴ See, e.g., Flowers and Hayes, *supra* note 25.

⁴⁵ See *infra* Table 5.1, 5.2, and 5.3.

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ See Willard H. Pedrick, N. William Hines & William A. Reppy, Jr., *Should Permanent Faculty Teach First-Year Legal Writing? A Debate*, 32 J. Legal Educ. 413 (1982). Law faculty have traditionally resisted commenting on individual papers, largely because of the enormous workload. This is one of the reasons separate LRW programs have been established.

⁴⁹ See *infra* Tables 3.1, 3.2, and 3.3.

⁵⁰ See *infra* Table 4.

⁵¹ Twenty-one percent. *Id.*

⁵² Sixteen percent. *Id.*

⁵³ Seventeen percent. *Id.*

⁵⁴ See *infra* Tables 3.1, 3.2, and 3.3.

⁵⁵ *Id.*

⁵⁶ See *infra* Tables 6.1, 6.2, and 6.3.

⁵⁷ Sixty-one percent of the schools reported that more than half of their professionals were female (response to Question 40). Cf. Moss, *Would This Happen To a Man?*, A.B.A.J., June 1988 at 50, 53.

⁵⁸ This information was gathered from responses to question 40.

⁵⁹ See *infra* Table 7.1, 7.2, and 7.3

⁶⁰ *Id.*

⁶¹ See *infra* Table 9.

⁶² See *infra* Table 9.

⁶³ *Id.*

⁶⁴ See *infra* Table 9.

⁶⁵ See *infra* Table 12.

⁶⁶ *Id.*

⁶⁷ See *infra* Tables 6.1, 6.2, and 6.3.

⁶⁸ *Id.*

⁶⁹ *Id.* This data was also compiled from answers to questions 74 and 75.

⁷⁰ The socio-linguistic family of legal writing requires approaches and techniques unique to thinking, researching, and translating that require consistent practice, reinforcement, supervision, and criticism. On-the-job training in firms, with its inherent potential for penalty, may not be the most effective method for training lawyers to think and communicate well: too little, too late.

⁷¹ Law firms have fired summer associates who think all legal research can be done on a computer or who, for other reasons, simply cannot find the right authority, much less effec-

tively translate their findings. At the very least, firms are finding that summer associates do not research effectively overall. See Joan S. Howland and Nancy J. Lewis, *The Effectiveness of Law School Legal Research Training Programs*, 40 J. Legal. Educ. 301 (1990).

⁷⁸ Of the schools that require work beyond the first year, only seventeen have a separate Legal Research and Writing requirement that incorporates active feedback on both research and writing. See *infra* Tables. 3.1, 3.2, and 3.3.

⁷⁹ Robert Berring's course at Boalt Hall is legendary. Over 90% of all students take the course, designed to make them "research commandos," adept at finding anything. The course goes well beyond the basics, requiring students to understand how a law library is organized so that they know where to find a source or whom to ask about that source.

APPENDIX A
LIST OF PARTICIPANTS

SCHOOLS INCLUDED IN SURVEY

University of Akron, C. Blake McDowell Law Center
University of Alabama School of Law
Albany Law School, Union University
American University, Washington College of Law
University of Arizona College of Law
Arizona State University College of Law
University of Arkansas, Fayetteville, Le Flor Law Center
University of Arkansas at Little Rock School of Law
University of Baltimore School of Law
Boston College Law School
Boston University School of Law
University of Bridgeport School of Law
Brigham Young University, J. Reuben Clark Law School
Brooklyn Law School
University of California at Davis School of Law
University of California at Los Angeles School of Law
California Western School of Law
Capital University Law School
Case Western Reserve University Law School
University of Chicago Law School
University of Cincinnati College of Law
Cleveland State University, Cleveland-Marshall College of Law
University of Colorado School of Law
Cornell Law School
Creighton University School of Law
Cumberland School of Law of Sanford University
CUNY Law School at Queens College
University of Dayton School of Law
DePaul University College of Law
University of Detroit School of Law
Dickinson School of Law
Drake University Law School
Duke University School of Law
Emory University School of Law
University of Florida, College of Law
Fordham University School of Law
Franklin Pierce Law Center
Florida State University College of Law
George Washington University National Law Center

Georgetown University Law Center
University of Georgia School of Law
Georgia State University College of Law
Golden Gate University School of Law
Hamline University School of Law
Harvard University Law School
University of Hawaii William S. Richardson School of Law
Hofstra University School of Law
University of Houston Law Center
University of Idaho College of Law
University of Illinois College of Law
Illinois Institute of Technology, Chicago-Kent College of Law
Indiana University at Bloomington School of Law
Indiana University School of Law, Indianapolis
University of Kansas School of Law
University of Kentucky College of Law
Lewis and Clark Northwestern School of Law
Louisiana State University Law Center
University of Louisville School of Law
Loyola Law School
Loyola University School of Law, New Orleans
McGeorge School of Law, University of the Pacific
University of Maine School of Law
Marquette University Law School
John Marshall Law School
Mercer University Law School
University of Minnesota Law School
University of Mississippi School of Law
University of Missouri - Kansas City, School of Law
William Mitchell College of Law
Monterey College of Law
University of Nebraska College of Law
University of New Mexico School of Law
New York Law School
New York University School of Law
North Carolina Central University School of Law
University of North Dakota School of Law
Northeastern University School of Law
Northern Illinois University College of Law
Northwestern University School of Law
Notre Dame Law School
Ohio Northern University, Pettit College of Law
Ohio State University College of Law

Pace University School of Law
University of Pittsburgh School of Law
University of Puget Sound School of Law
Rutgers, The State University of New Jersey School of Law,
Camden
St. John's University School of Law
Saint Louis University School of Law
St. Mary's University of San Antonio School of Law
St. Thomas University School of Law
University of San Francisco School of Law
University of San Diego School of Law
Santa Clara University School of Law
Seton Hall University School of Law
University of South Carolina School of Law
University of South Dakota School of Law
University of Southern California Law Center
Southern Illinois University School of Law
Southern Methodist University School of Law
Southwestern University School of Law
Suffolk University Law School
Syracuse University College of Law
Temple University School of Law
University of Texas School of Law
Texas Tech University School of Law
Thomas H. Cooley Law School
University of Toledo College of Law
Touro College Jacob D. Fuchsberg Law Center
Tulane University School of Law
The University of Tulsa College of Law
University of Utah College of Law
Valparaiso University School of Law
Vanderbilt University School of Law
Vermont Law School
Villanova University School of Law
University of Virginia School of Law
Wake Forest University School of Law
Washburn University School of Law
Washington and Lee University School of Law
University of Washington School of Law
Washington University School of Law
Wayne State University Law School
West Virginia University College of Law
Western New England College School of Law

Western State University College of Law

Whittier College School of Law

Widener University School of Law

Willamette University College of Law

College of William and Mary, Marshall-Wythe School of Law

University of Wisconsin Law School

Yeshiva University, Benjamin N. Cardozo School of Law

APPENDIX B

TABLES

Table 1. Characteristics of Survey Participants

Size of school

less than 400	18
401 - 500	20
501 - 600	23
601 - 700	12
701 - 800	17
800 - 1,000	11
over 1,000	26
Total Responses	127

Graduate Programs

less than 400	48
401 - 500	0
501 - 600	1
601 - 700	1
701 - 800	0
800 - 1,000	0
over 1,000	4
no program	65
Total Responses	119

Type of School

public	50
private	77
Total Responses	127

Table 2. Characteristics of LRW Programs

Full-Time Tenure Track	25
Full-Time Non-Tenure Track	76
Part-Time Adjunct	21
Student Taught	5
Total Responses	127
Non-J.D. Specialists Used	
Yes	31
No	84
Total Responses	115

Table 3.1 - Structure of Program by Program Type
Results as of 11/07/90

	Total	Ten.	NonT.	Adj.	LawSt
# Semesters Required					
One	9	6	1	2	0
Two	100	17	62	16	5
Three	12	2	8	2	0
Four+	5	0	4	1	0
Total Responses	126	25	75	21	5
Credits Allotted					
Zero	0	0	0	0	0
One	2	0	1	1	0
Two	23	7	10	5	1
Three	35	7	19	7	2
Four	39	8	25	5	1
Other	25	2	19	3	1
Total Responses	124	24	74	21	5
Moot Court					
Included in Program	94	17	55	18	4
Not Included	32	8	20	3	1
Total Responses	126	25	75	21	5
Coordination w/ Other Courses					
LRW is Linked	39	12	21	5	1
LRW is Independent	87	13	54	16	4
Total Responses	126	25	75	21	5
Services for Students					
Tutorials	64	11	43	8	2
Student Assistance	41	12	25	3	1
Other	28	4	18	6	0
Total Responses	90	18	56	13	3
Student/Prof Meetings					
Once per Week	40	9	18	10	3
Twice per Week	40	6	30	3	1
Thrice per Week	6	2	3	1	0
Every Other Week	2	0	1	1	0
Other	35	8	22	5	0
Total Responses	123	25	74	20	4

Table 3.2 - Structure of Program by School Type
Results as of 11/07/90

	Total	Publ.	Priv.
# Semesters Required			
One	9	4	5
Two	101	37	64
Three	12	6	6
Four+	5	3	2
Total Responses	127	50	77
Credits Allotted			
Zero	0	0	0
One	2	2	0
Two	23	9	14
Three	35	13	22
Four	40	18	22
Other	25	7	18
Total Responses	125	49	76
Moot Court			
Included in Program	95	37	58
Not Included	32	13	19
Total Responses	127	50	77
Coordination w/ Other Courses			
LRW is Linked	39	16	23
LRW is Independent	88	34	54
Total Responses	127	50	77
Services for Students			
Tutorials	65	24	41
Student Assistance	41	12	29
Other	29	10	19
Total Responses	91	32	59
Student/Prof Meetings			
Once per Week	40	12	28
Twice per Week	40	15	25
Thrice per Week	6	2	4
Every Other Week	2	1	1
Other	36	17	19
Total Responses	124	47	77

Table 3.3 - Structure of Program by School Size
Results as of 11/07/90

	Total	401- <400	501- 500	601- 600	701- 700	801- 800	over 1000	1000
# Semesters Required								
One	9	3	2	2	0	1	0	1
Two	100	12	12	18	10	16	9	23
Three	12	2	6	2	1	0	1	0
Four+	5	1	0	1	1	0	1	1
Total Responses	126	18	20	23	12	17	11	25
Credits Allotted								
Zero	0	0	0	0	0	0	0	0
One	2	0	0	2	0	0	0	0
Two	23	4	1	6	4	2	0	6
Three	35	4	7	6	2	2	3	11
Four	39	8	6	5	3	9	3	5
Other	25	2	5	4	3	3	5	3
Total Responses	124	18	19	23	12	16	11	25
Moot Court								
In Program	94	10	14	19	11	15	9	16
Not Included	32	8	6	4	1	2	2	9
Total Responses	126	18	20	23	12	17	11	25
Coordination w/ Other Courses								
LRW Linked	39	9	7	8	1	3	3	8
LRW Independent	87	9	13	15	11	14	8	17
Total Responses	126	18	20	23	12	17	11	25
Services for Students								
Tutorials	64	11	9	10	6	8	8	12
Student Asst.	41	5	7	9	3	7	3	7
Other	28	2	5	5	3	5	1	7
Total Responses	90	12	11	17	8	13	9	20
Student/Prof Meetings								
Once per Week	40	3	7	8	5	3	0	14
Twice per Week	40	4	7	7	5	8	3	6
Thrice per Week	6	3	0	2	9	0	0	0
Every Other Week	2	0	2	0	0	0	0	0
Other	35	7	4	5	2	5	7	5
Total Responses	123	17	20	22	12	17	10	25

**Table 4 - Content of First Year Course
Results as of 11/07/90**

	Total	401-501	501-601	601-701	701-801	801-1000	over 1000
Legal research assignments							
Open library research	90	11	13	16	9	13	8 20
Closed packet research	60	8	8	10	5	11	5 13
Comb. of open and closed	47	5	8	9	6	6	1 12
Research specific tasks	93	12	15	19	7	10	8 22
Legislative histories	49	8	10	8	5	7	2 9
Admin. law research	45	8	8	7	5	4	5 8
Westlaw/Lexis training	105	13	17	19	10	16	9 21
Citations	99	13	15	17	9	14	9 22
Other	8	1	2	1	2	1	0 1
Total Responses	123	16	20	23	12	17	11 24
Legal writing assignments							
Client letters	50	7	9	8	6	7	2 11
Legal memoranda	120	18	19	22	11	16	10 24
Pretrial briefs	34	2	5	8	3	4	2 10
Trial briefs	25	4	3	6	0	4	1 7
Appellate briefs	99	11	16	17	11	14	8 22
Law review articles	4	1	0	0	1	0	2 0
Drafting documents	26	2	6	4	2	7	0 5
Drafting legislation	8	1	3	1	0	2	0 1
Other	17	3	5	5	2	0	1 1
Total Responses	124	18	20	23	11	16	11 25
Oral Advocacy Exercises							
Pretrial motion argument	25	3	5	4	1	4	2 6
Appellate brief argument	100	12	16	18	10	13	9 22
Objective argument	11	1	3	2	0	1	3 1
In-class presentations	19	4	1	3	1	2	1 7
Other	9	1	2	2	0	1	2 1
Total Responses	121	16	20	22	11	16	11 25

Table 5.1 - Treatment of Written Work by Program Type
Results as of 11/07/90

	Total	Ten.	NonT.	Adj.	LawSt.
Amount of feedback per year					
Less than twice	0	0	0	0	0
Two times	2	2	0	0	0
Three times	11	3	5	2	1
Four times	12	1	7	2	2
More than four times	98	18	61	17	2
Total Responses	123	24	73	21	5
Person providing feedback					
LRW professional	70	6	46	17	1
Student assistant	4	0	2	0	2
Both	41	16	20	3	2
Fellow student	0	0	0	0	0
Other	11	3	7	1	0
Total Responses	126	25	75	21	5
Rewrite requirement					
All written work	19	7	5	3	4
Some written work	89	16	57	15	1
None required	18	2	13	3	0
Total Responses	126	25	75	21	5
Conferences per semester					
Fewer than two	24	4	13	7	0
Two	33	5	19	6	3
Three	21	7	10	3	1
Four	11	2	6	2	1
More than four	22	5	15	2	0
Total Responses	111	23	63	20	5
Conductor of conference					
Instructor	76	10	49	16	1
Student assistant	8	1	4	0	3
Both	38	12	21	4	1
Other	3	2	1	0	0
Total Responses	125	25	75	20	5

Table 5.2 - Treatment of Written Work by School Type
Results as of 11/07/90

	Total	Publ.	Priv.
Amount of feedback per year			
Less than twice	0	0	0
Two times	2	0	2
Three times	11	8	3
Four times	12	4	8
More than four times	98	37	61
Total Responses	123	49	74
Person providing feedback			
LRW professional	70	25	45
Student assistant	4	3	1
Both	41	17	24
Fellow student	0	0	0
Other	11	4	7
Total Responses	126	49	77
Rewrite requirement			
All written work	19	9	10
Some written work	89	34	55
None required	18	6	12
Total Responses	126	49	77
Conferences per semester			
Fewer than two	24	4	20
Two	33	15	18
Three	21	10	11
Four	11	3	8
More than four	22	10	12
Total Responses	111	42	69
Conductor of conference			
Instructor	76	27	49
Student assistant	8	3	5
Both	38	18	20
Other	3	1	2
Total Responses	125	49	76

Table 5.3 - Treatment of Written Work by School Size
Results as of 11/07/90

	Total	<400	500	600	700	800	1000	over 1000
Amount of feedback per year								
Less than twice	0	0	0	0	0	0	0	0
Two times	2	0	1	0	0	0	0	1
Three times	11	3	2	2	1	0	1	2
Four times	12	1	0	1	3	3	2	2
More than four times	98	14	17	18	8	13	8	20
Total Responses	123	18	20	21	12	16	11	25
Person providing feedback								
LRW professional	70	8	7	13	7	9	7	19
Student assistant	4	1	0	2	0	0	1	0
Both	41	9	9	6	4	6	3	4
Fellow student	0	0	0	0	0	0	0	0
Other	11	0	4	2	1	2	0	2
Total Responses	126	18	20	23	12	17	11	25
Rewrite requirement								
All written work	19	5	4	4	2	1	1	2
Some written work	89	12	12	15	7	13	9	21
None required	18	1	4	4	3	3	1	2
Total Responses	126	18	20	23	12	17	11	25
Conferences per semester								
Fewer than two	24	4	5	4	4	3	1	3
Two	33	3	6	7	2	4	1	10
Three	21	3	4	3	2	3	1	5
Four	11	0	2	2	0	2	1	4
More than four	22	7	2	5	0	4	4	0
Total Responses	111	17	19	21	8	16	8	22
Conductor of conference								
LRW professional	76	10	10	14	7	9	6	20
Student assistant	8	1	0	3	1	0	2	1
Both	38	7	9	4	3	8	3	4
Other	3	0	1	1	1	0	0	0
Total Responses	125	18	20	22	12	17	11	25

Table 6.1 - Status of Professionals by Program Type
Results as of 11/07/90

	Total	Ten.	NonT.	Adj.	LawSt.
Full-Time, Tenure-Track	39	25	11	3	0
Full-Time, Non-Tenure-Track	76	0	76	0	0
Part-Time Adjunct	35	0	14	21	0
Students	8	0	1	2	5
Percentage Females					
0 - 25%	11	6	4	1	0
26 - 50%	33	1	20	11	1
51 - 75%	30	3	22	4	1
76 - 100%	36	7	24	3	2
Total Responses	110	17	70	19	4
Experience in Practice					
0 - 2 years	31	5	19	4	3
3 - 5 years	58	8	41	9	0
6 - 10 years	14	2	7	4	1
over 10 years	4	1	2	1	0
Total Responses	107	16	69	18	4
Non-Tenure Contracts					
Renewable	71	0	71	0	0
Non-renewable	3	0	3	0	0
Total Responses	74	0	74	0	0
Part-Time Adjunct Contracts					
Renewable	32	0	13	19	0
Non-renewable	3	0	1	2	0
Total Responses	35	0	14	21	0
Non-J.D. Faculty					
Yes	31	6	20	4	1
No	84	14	52	15	3
Total Responses	115	20	72	19	4
Student Teachers					
Yes	59	16	29	9	5
No	68	9	47	12	0

Table 6.2 - Status of Professionals by School Type
Results as of 11/07/90

	Total	Public	Private
Full-Time, Tenure-Track	39	11	28
Full-Time, Non-Tenure-Track	75	29	46
Part-Time Adjunct	35	12	23
Percentage Female			
0 - 25%	11	3	8
26 - 50%	33	11	22
51 - 75%	30	9	21
76 - 100%	36	18	18
Total Responses	110	41	69
Years Experience in Practice			
0 - 2	31	14	17
3 - 5	58	20	38
6 - 10	14	7	7
over 10	4	0	4
Total Responses	107	41	66
Non-Tenure Contracts			
Renewable	71	26	45
Non-renewable	3	2	1
Total Responses	74	28	46
Part-Time Adjunct Contracts			
Renewable	32	10	22
Non-renewable	3	1	2
Total Responses	35	11	24
Non-J.D. Faculty			
Yes	31	6	25
No	84	37	47
Total Responses	115	43	72
Student Teachers			
Yes	59	27	32
No	68	23	45
Total Responses	127	50	77

Table 6.3 - Status of Professionals by School Size
Results as of 11/07/90

	<div> <div>< 401- 501- 601- 701- 800- over</div> <div>Total 400 500 600 700 800 1000 1000</div> </div>							
Full-Time, Tenure-Track	39	5	10	11	11	3	4	1
Full-Time, Non-Tenure-Track	75	8	10	11	9	13	13	9
Part-Time Adjunct	35	4	4	5	2	4	4	12
Percentage Females								
0 - 25%	11	1	3	2	0	1	2	2
26 - 50%	33	3	6	6	2	3	2	11
51 - 75%	30	3	5	2	5	7	2	6
76 - 100%	36	7	2	10	4	3	4	6
Total Responses	110	14	16	20	11	14	10	25
Experience in Practice								
0 - 2 years	31	4	3	7	4	2	6	5
3 - 5 years	58	6	11	12	5	9	4	11
6 - 10 years	14	4	1	0	2	2	1	4
over 10 years	4	0	2	2	0	0	0	0
Total Responses	107	14	17	21	11	13	11	20
Non-Tenure Contracts								
Renewable	71	8	10	9	8	12	9	15
Non-renewable	3	0	0	2	0	1	0	0
Total Responses	74	8	10	11	8	13	9	15
Part-Time Adjunct Contracts								
Renewable	32	4	4	4	2	2	4	12
Non-renewable	3	0	0	1	0	2	0	0
Total Responses	35	4	4	5	2	4	4	12
Non-J.D. Faculty								
Yes	31	2	6	8	1	4	3	7
No	84	11	12	13	11	11	8	18
Total Responses	115	13	18	21	12	15	11	25
Student Teachers								
Yes	59	9	12	6	6	9	5	12
No	68	9	8	17	6	8	6	14
Total Responses	127	18	20	23	12	17	11	26

Table 7.1 - Director's Status and Salary by Program Type
Results as of 11/07/90

	Total	Ten.	NonT.	Adj.	LawSt.
Professional Status					
Full-Time, Tenure-Track	38	10	23	4	1
Full-Time, Non-Tenure-Track	50	1	38	9	2
Part-Time Adjunct	4	1	0	3	0
Other	0	0	0	0	0
Total Responses	92	12	61	16	3
Director's Salary					
Less than 20,000	2	0	0	2	0
20,001 - 30,000	5	1	3	1	0
30,001 - 40,000	18	0	13	3	2
40,001 - 50,000	19	0	16	3	0
over 50,000	43	11	25	7	0
Total Responses	87	12	57	16	2

Table 7.2 - Director's Status and Salary by School Type

	Total	Public	Private
Professional Status			
Full-Time, Tenure-Track	38	11	27
Full-Time, Non-Tenure-Track	50	19	31
Part-Time Adjunct	4	3	1
Other	0	0	0
Total Responses	92	33	59
Director's Salary			
Less than 20,000	2	1	1
20,001 - 30,000	5	3	2
30,001 - 40,000	18	10	8
40,001 - 50,000	19	7	12
over 50,000	43	9	34
Total Responses	87	30	57

Table 7.3 - Director's Status and Salary by School Size

	<div> <div>< 401- 501- 601- 701- 800- over</div> <div>Total400 500 600 700 800 1000 1000</div> </div>							
Professional Status								
Full-Time, Tenure-Track	38	2	9	9	3	5	2	8
Full-Time, Non-Tenure-Track	50	4	5	6	6	7	9	13
Part-Time Adjunct	4	2	1	1	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total Responses	92	8	15	16	9	12	11	21
Director's Salary								
Less than 20,000	2	0	0	1	1	0	0	0
20,001 - 30,000	5	3	0	0	1	1	0	0
30,001 - 40,000	18	3	6	1	1	1	4	2
40,001 - 50,000	19	0	2	3	2	4	2	6
over 50,000	43	1	6	10	2	6	5	13
Total Responses	87	7	14	15	7	12	11	21

Table 8.1 - Support Staff and RAs by Program Type
Results as of 11/07/90

	Total	Ten.	NonT.	Adj.	LawSt.
Number of Support Staff					
One Staff Person	41	1	29	8	3
Two Staff People	5	0	4	1	0
Three Staff People	2	0	0	2	0
More than Three	5	1	4	0	0
Total Responses	53	2	37	11	3
Number of Research Assts.					
One RA	17	0	14	2	1
Two RAs	11	2	6	2	1
Three RAs	9	1	6	2	0
More than Three	34	9	21	4	0
Total Responses	71	12	47	10	2

Table 8.2 - Support Staff and RAs by School Type

	Total	Public	Private
Number of Support Staff			
One Staff Person	41	18	23
Two Staff People	5	3	2
Three Staff People	2	1	1
More than Three	5	1	4
Total Responses	53	23	30
Number of Research Assts.			
One RA	17	8	9
Two RAs	11	6	5
Three RAs	9	4	5
More than Three	34	11	23
Total Responses	71	29	42

Table 8.3 - Support Staff and RAs by School Size

	<div> <div>< 401- 501- 601- 701- 800- over</div> <div>Total 400 500 600 700 800 1000 1000</div> </div>							
Number of Support Staff								
One Staff Person	41	3	5	7	4	7	5	5
Two Staff People	0	0	2	0	0	2	1	5
Three Staff People	2	1	0	1	0	0	0	0
More than Three	5	1	1	1	1	0	0	1
Total Responses	53	5	6	11	5	7	7	12
Number of Research Assts.								
One RA	17	2	0	5	1	1	3	5
Two RAs	11	2	2	2	1	2	2	0
Three RAs	9	0	3	3	1	1	1	0
More than Three	34	6	6	4	3	4	4	7
Total Responses	71	10	11	14	6	8	10	12

Table 9 - Salaries of Legal Writing Professionals**Full-Time, Tenure-Track**

under \$30,000	0
\$30,001 - 40,000	0
40,001 - 50,000	6
50,001 - 60,000	15
60,001 - 70,000	12
70,001 - 80,000	4
over \$80,000	2

Full-Time, Non-Tenure-Track

\$15,000 - 20,000	8
20,001 - 25,000	12
25,001 - 30,000	29
30,001 - 35,000	13
35,001 - 40,000	11
40,001 - 45,000	6
45,001 - 50,000	5
50,001 - 55,000	2
55,001 - 60,000	0
over \$60,000	3

Part-Time Adjuncts

Under \$1,000	7
\$1,001 - 2,000	7
2,001 - 3,000	8
3,001 - 4,000	9
4,001 - 5,000	2
5,001 - 6,000	0
6,001 - 7,000	1
over \$7,000	5

Table 10.1 - Grading Scheme by Program Type
Results as of 11/07/90

	Total	Ten.	NonT.	Adj.	LawSt.
Full, Grade Averaged In	65	13	43	9	0
Grade, Not Averaged	1	0	0	0	1
Number, Averaged In	29	6	16	7	0
Number, Not Averaged	0	0	0	0	0
Pass/Fail or S/U	15	5	9	0	1
Honors/Pass/Fail	9	0	5	3	1
Other	6	1	2	2	1
Total Responses	125	25	75	21	4

Table 10.2 - Grading Scheme by School Type
Results as of 11/07/90

	Total	Publ.	Priv.
Full Grade, Averaged In	65	21	44
Grade, Not Averaged	1	1	0
Number, Averaged In	29	7	22
Number, Not Averaged	0	0	0
Pass/Fail or S/U	15	9	6
Honors/Pass/Fail	9	5	4
Other	6	5	1
Total Responses	125	48	77

Table 10.3 - Structure of Program by School Size
Results as of 11/07/90

	Total	401- <400	501- 500	601- 600	701- 700	801- 800	801- 1000	over 1000
Full Grade, Averaged In	65	10	10	9	7	11	8	10
Grade, Not Averaged	1	0	0	0	0	0	1	0
Number, Averaged In	29	4	6	7	2	2	0	7
Number, Not Averaged	0	0	0	0	0	0	0	0
Pass/Fail or S/U	15	2	2	4	2	1	0	4
Honors/Pass/Fail	9	0	0	2	1	2	0	4
Other	6	1	2	1	0	1	1	0
Total Responses	125	17	20	23	12	17	11	25

Table 11.1 - Student Teacher Ratio by Program Type
Results as of 11/07/90

	Total	Ten.	NonT.	Adj.	LawSt.
Number of 1st Year Students For Each LRW Professional					
1 - 10	2	1	1	0	0
11 - 20	26	8	6	12	0
21 - 35	22	6	10	5	1
36 - 50	22	1	21	0	0
51 - 75	28	4	23	1	0
76 - 100	9	2	4	2	1
101 - 125	4	1	2	0	1
126 - 150	4	0	3	1	0
over 150	7	2	4	0	1
Total Responses	124	25	74	21	4

Table 11.2 - Student Teacher Ratio by School Type
Results as of 11/07/90

	Total	Public	Private
Number of 1st Year Students For Each LRW Professional			
1 - 10	2	2	0
11 - 20	26	10	16
21 - 35	22	6	16
36 - 50	22	9	13
51 - 75	28	11	17
76 - 100	9	3	6
101 - 125	4	1	3
126 - 150	4	2	2
over 150	7	3	4
Total Responses	124	47	77

Table 11.3 - Student Teacher Ratio by School Size
Results as of 11/07/90

	<div> <div><</div> <div>401- 501- 601- 701- 800- over</div> <div>Total 400 500 600 700 800 1000 1000</div> </div>							
Number of 1st Year Students For Each LRW Professional								
1 - 10	2	1	1	0	0	0	0	0
11 - 20	26	5	4	4	2	1	1	9
21 - 35	22	1	6	4	2	4	2	3
36 - 50	22	5	4	5	2	1	1	4
51 - 75	28	2	3	5	2	8	4	4
76 - 100	9	2	1	3	1	1	1	0
101 - 125	4	1	0	0	1	0	0	2
126 - 150	4	1	0	0	1	1	0	1
over 150	7	0	1	1	1	1	1	2
Total Responses	124	18	20	22	12	17	10	25

Table 12 - Budgets, Excluding Salaries, by School Size
As of 11/07/90

Dollars, in thousands				
Size of School	0-50	50-100	100-150	150+
0 - 500				
Public	19	1	0	0
Private	10	0	0	0
Total Responses	29	1	0	0
501 - 800				
Public	12	1	0	0
Private	26	0	1	1
Total Responses	38	1	0	1
801 - 1,000				
Public	2	0	0	0
Private	3	0	1	1
Total Responses	5	0	1	1
1,001 - 1,400				
Public	3	0	0	0
Private	7	2	2	1
Total Responses	10	2	2	1
1,400+				
Public	1	0	0	0
Private	2	0	0	0
Total Responses	3	0	0	0
Total				
Public	37	2	0	0
Private	48	2	3	3
Total Responses	85	4	3	3

Table 13.1 - Satisfaction by Program Type
Results as of 11/07/90

	Total	Ten.	NonT.	Adj.	LawSt.
LRW Professionals Relationship w/ Other Faculty*					
Support	60	7	38	15	0
Resistance	16	0	14	1	1
Struggle	20	4	12	2	2
Total Responses	80	9	53	16	2

*The Total Responses do not equal the sum of the above options because the survey contained a fourth option, "Other," which allowed for a short comment. The varying nature of these responses made their addition to this table uninformative.

Table 13.2 - Satisfaction by School Type
Results as of 11/07/90

	Total	Public	Private
LRW Professionals Relationship w/ Other Faculty			
Support	60	20	40
Resistance	16	5	11
Struggle	20	9	11

Table 13.3 - Satisfaction by School Size
Results as of 11/07/90

	Total	< 400	401- 500	501- 600	601- 700	701- 800	800- 1000	over 1000
LRW Professionals Relationship w/ Other Faculty								
Support	60	8	11	9	6	8	4	14
Resistance	16	1	0	2	5	4	2	2
Struggle	20	2	3	2	7	3	1	2

APPENDIX C SURVEY

LEGAL RESEARCH AND WRITING QUESTIONNAIRE January 1990

Name: _____

School: _____

PART I. PROGRAM STRUCTURE

A. First Year Structure

1. How many students are in your school (J.D. students only)?

a) 100 or fewer	f) 501 - 600	k) 1001 - 1100
b) 101 - 200	g) 601 - 700	l) 1101 - 1200
c) 201 - 300	h) 701 - 800	m) 1201 - 1300
d) 301 - 400	i) 801 - 900	n) 1301 - 1400
e) 401 - 500	j) 901 - 1000	o) over 1400

2. How many students are in your graduate school?

a) 100 or fewer	f) 501 - 600	k) 1001 - 1100
b) 101 - 200	g) 601 - 700	l) 1101 - 1200
c) 201 - 300	h) 701 - 800	m) 1201 - 1300
d) 301 - 400	i) 801 - 900	n) over 1300
e) 401 - 500	j) 901 - 1000	o) no graduate program

3. What is the size of the first year class?

a) 1 - 50	d) 201 - 300	g) 501 - 600
b) 51 - 100	e) 301 - 400	h) over 600
c) 101 - 200	f) 401 - 500	

4. Your school is a:
 - a) state school
 - b) private school

5. How many semesters of Legal Research and Writing (LRW) are required?
 - a) none, not required
 - b) one semester
 - c) two semesters
 - d) three semesters
 - e) four semesters
 - f) more than four semesters

6. When are students required to take LRW?
 - a) all of first year only
 - b) first semester of first year
 - c) second semester of first year only
 - d) all of first year plus part of another year

Please specify _____

7. How many semester credit hours are allocated to LRW?
 - a) no credits
 - b) one credit
 - c) two credits
 - d) three credits
 - e) four credits
 - f) other _____

8. If legal research is taught separately, who teaches the course?
 - a) librarians
 - b) legal research instructors
 - c) other _____

9. If legal research is taught separately, how many credit hours are allocated to it?
a) no credits c) two credits e) other _____
b) one credit d) three credits
10. How is LRW graded?
a) graded by letter averaged into GPA e) graded pass/fail or S/U
b) graded by letter not averaged into GPA f) graded honors/pass/fail
c) graded by numbers averaged into GPA g) other _____
d) graded by numbers but not averaged into GPA
11. Is moot court part of the first year legal research and writing course?
a) yes
b) no
12. Are the legal writing assignments coordinated with assignments in other first year courses?
a) yes
b) no
13. How many writing assignments are coordinated with assignments in other first year courses?
a) none c) two assignments e) four assignments
b) one assignment d) three assignments f) over four assignments
14. What other services are provided for first year students?
a) tutorial
b) students helping students
c) other _____
15. How many professionals teach first year LRW?
a) one c) three e) five or more
b) two d) four
16. How many first year students are there for each LRW professional?
a) 1 - 10 d) 36 - 50 g) 101 - 125
b) 11 - 20 e) 51 - 75 h) 126 - 150
c) 21 - 35 f) 76 - 100 i) over 150
17. How many times per week does the LRW professional meet with students?
a) once a week c) three times a week e) other _____
b) twice a week d) once every other week
18. How many first year LRW students are there for each LRW student instructor?
a) 1 - 10 c) 16 - 20
b) 11 - 15 d) 21 - 25
19. How many times per week do student instructors meet with students?
a) once a week c) three times a week
b) twice a week d) once every other week

B. First Year Content

20. What assignments are required in the legal research course?
- | | |
|---|--------------------------------|
| a) open library research | f) administrative law research |
| b) closed packet research | g) Westlaw/Lexis training |
| c) combination of open and closed packet research | h) citations |
| d) research projects on specific tasks | i) other |
| e) legislative histories | |
21. What assignments are required in the legal writing course?
- | | | |
|--------------------|------------------------|-------------------------|
| a) client letters | d) trial briefs | g) drafting documents |
| b) legal memoranda | e) appellate briefs | h) drafting legislation |
| c) pretrial briefs | f) law review articles | i) other |
22. What speaking skills are covered in the first year LRW course?
- | |
|--|
| a) pretrial motion argument |
| b) appellate brief argument |
| c) objective argument (e.g., report to partner on research findings) |
| d) in-class presentations |
| e) other _____ |
23. Do you require rewrites of assignments?
- | |
|---|
| a) yes, all assignments require at least one rewrite |
| b) yes, but not all - Please specify percentage _____ |
| c) no |
24. How many times do students receive written feedback per year?
- | | | |
|-----------------|----------|--------------|
| a) fewer than 2 | c) three | e) over four |
| b) two | d) four | |
25. Who comments on papers?
- | | |
|-----------------------|--------------------|
| a) LRW professionals | d) fellow students |
| b) student assistants | e) other _____ |
| c) both | |
26. If you answered "both" to the above, on what percentage of the papers do instructors comment?
- | | |
|-------------|--------------|
| a) 0 - 25% | c) 51 - 75% |
| b) 26 - 50% | d) 76 - 100% |
27. How many conferences with students are held per semester?
- | | | |
|-----------------|----------|--------------|
| a) fewer than 2 | c) three | e) over four |
| b) two | d) four | |
28. Who conducts conferences with students?
- | | |
|-----------------------|----------------|
| a) instructors | c) both |
| b) student assistants | d) other _____ |
29. If you answered "both" to the above, what percentage of conferences are conducted by the instructors?
- | | |
|-------------|--------------|
| a) 0 - 25% | c) 51 - 75% |
| b) 26 - 50% | d) 76 - 100% |

C. Upper Level Writing Courses (If not applicable please check: ____)

30. Who teaches upper level LRW courses?
a) legal research and writing instructors
b) full-time faculty
c) adjunct faculty
31. How many students are there for each faculty member for upper level courses?
a) 1 - 10
b) 11 - 15
c) 16 - 20
d) 21 - 25
e) over 25
32. What second or third year courses on legal research and writing are required?
a) none required
b) legal drafting
c) advanced research
d) appellate advocacy
e) seminars
f) specialized writing courses
g) other _____
33. If there are required courses, do papers have to be a specific length?
a) yes
b) no
c) not applicable
34. If so, of what length are the papers?
a) 1 - 10 pages
b) 11 - 20 pages
c) 21 - 30 pages
d) 31 - 40 pages
e) over 40 pages
f) not applicable
35. In the required courses, do professors comment on drafts?
a) yes
b) no
c) not applicable
36. If so, on how many drafts do students receive comments?
a) one
b) two
c) one draft and the final
d) final draft only
37. What upper LRW courses are offered as electives?
a) none
b) legal drafting
c) advanced research
d) appellate advocacy
e) seminars
f) legislative drafting
g) specialized writing courses (please fill in _____)

PART II. PROFESSIONAL STATUS

38. How many LRW professionals are employed by your school?
a) 1 c) 4-5 e) 8-9
b) 2-3 d) 6-7 f) 10 or more
39. On the average, how many years do LRW professionals practice before entering the field of legal research and writing?
a) 0-2 c) 6-10
b) 3-5 d) over 10
40. On the average, how many years do LRW professionals remain on the faculty?
a) 0 - 2 c) 6-10
b) 3 - 5 d) over 10
41. What is the percentage of female instructors (excluding student assistants)?
a) 0 - 25% c) 51 - 75%
b) 26 - 50% d) 76 - 100%
42. Is there a separate Director of LRW?
a) yes
b) no
43. What is the Director's title? _____
44. What is the Director's professional status?
a) Full-time tenure track d) Law students only
b) Full-time professional on non-tenure track contract e) Graduate law students only
c) Part-time adjunct f) Other _____
45. What is the salary for the Director?
a) \$0 - 20,000 c) \$30,001 - 40,000 e) over \$50,000
b) \$20,001 - 30,000 d) \$40,001 - 50,000
46. Are Full-Time Equivalents used in the program?
a) yes
b) no
47. If there are Full-Time Equivalents, how many are used in the program?
a) one c) three
b) two d) four or more
48. Are there non-J.D. writing specialists used in the program?
a) yes
b) no
49. If there are non-J.D. writing specialists, how many are used in the program?
a) one c) three
b) two d) four or more

Full-Time Tenure Track Faculty

52. What is the salary of tenured faculty teaching LRW?
 a) \$0 - 30,000 c) \$60,001 - 70,000
 b) \$30,001 - 40,000 f) \$70,001 - 80,000
 c) \$40,001 - 50,000 g) over \$80,000 - Please specify _____
 d) \$50,001 - 60,000
53. What percentage of your teaching load is LRW?
 a) 0 - 5% c) 11 - 15% e) 21 - 25%
 b) 6 - 10% d) 16 - 20% f) over 25%
54. Do you teach LRW on a rotating basis?
 a) yes
 b) no
55. If yes, how often do you rotate?
 a) every semester c) every two years
 b) every year d) every four or more years
56. What is the average yearly LRW budget (not including salaries)?
 a) \$0 - 50,000 c) \$100,000 - 150,000
 b) \$50,000 - 100,000 d) over \$150,000 - Please specify _____
57. Do you use student assistants for teaching purposes?
 a) yes
 b) no (go on to Part III)
58. If yes, what level are the students?
 a) first c) third e) other _____
 b) second d) graduate
59. What is the compensation for student instructors?
 a) salary - Please specify _____
 b) credits - Please specify _____
 c) combination of salary and credits - Please specify _____
 d) other _____
60. Do the student instructors receive a tuition waiver?
 a) yes
 b) no
61. How many semesters are students allowed to teach LRW?
 a) one c) three e) five or more - Please specify _____
 b) two d) four
62. On the average, how many semesters do students teach LRW?
 a) one c) three e) five or more - Please specify _____
 b) two d) four

Full-Time Professionals on Non-Tenure Track Contracts

63. What is the salary for LRW professionals?
a) \$15,000 - 20,000 e) \$35,001 - 40,000 i) \$55,001 - 60,000
b) \$20,001 - 25,000 f) \$40,001 - 45,000 j) over \$60,000 - Please
c) \$25,001 - 30,000 g) \$45,001 - 50,000 specify _____
d) \$30,001 - 35,000 h) \$50,001 - 55,000
64. How long are the contracts?
a) one year d) four years
b) two years e) five years
c) three years f) over five years - Please specify _____
65. Are the contracts renewable?
a) yes
b) no
66. What is the average yearly LRW budget (not including salaries)?
a) \$0 - 50,000 c) \$100,001 - 150,000
b) \$50,001 - 100,000 d) over \$150,000
67. Do you use student assistants for teaching purposes?
a) yes
b) no (go on to Part III)
68. If yes, what level are the students?
a) first c) third e) other _____
b) second d) graduate
69. What is the compensation for student instructors?
a) salary - Please specify _____
b) credits - Please specify _____
c) combination of salary and credits - Please specify _____
d) other _____
70. Do the student instructors receive a tuition waiver?
a) yes
b) no
71. How many semesters are students allowed to teach LRW?
a) one c) three e) five or more - Please specify
b) two d) four _____
72. On the average, how many semesters do students teach LRW?
a) one c) three e) five or more - Please specify _____
b) two d) four

Part-Time Adjuncts

73. What is the salary for LRW adjuncts?

- | | | | |
|--------------------|--------------------|--------------------|--------------------|
| a) \$0 - 1,000 | c) \$2,001 - 3,000 | e) \$4,001 - 5,000 | g) \$6,001 - 7,000 |
| b) \$1,001 - 2,000 | d) \$3,001 - 4,000 | f) \$5,001 - 6,000 | h) over \$7,000 |

74. How long are the contracts?

- | | |
|----------------|---|
| a) one year | d) four years |
| b) two years | e) five years |
| c) three years | f) over five years - Please specify _____ |

75. Are the contracts renewable?

- a) yes
b) no

76. What is the average yearly LRW budget (not including salaries)?

- | | |
|-----------------------|------------------------|
| a) \$0 - 50,000 | c) \$100,001 - 150,000 |
| b) \$50,001 - 100,000 | d) over \$150,000 |

77. Do you use student assistants for teaching purposes?

- a) yes
b) no (go on to Part III)

78. If yes, what level are the students?

- | | | |
|-----------|-------------|----------------|
| a) first | c) third | e) other _____ |
| b) second | d) graduate | |

79. What is the compensation for student instructors?

- a) salary - Please specify _____
 b) credits - Please specify _____
 c) combination of salary and credits - Please specify _____
 d) other _____

80. Do the student instructors receive a tuition waiver?

- a) yes
b) no

81. How many semesters are students allowed to teach LRW?

- | | | |
|--------|----------|--|
| a) one | c) three | e) five or more - Please specify _____ |
| b) two | d) four | |

82. On the average, how many semesters do students teach LRW?

- | | | |
|--------|----------|--|
| a) one | c) three | e) five or more - Please specify _____ |
| b) two | d) four | |

Law Students Only

83. Who supervises the students?
- a) tenure track faculty - non-LRW professional
 - b) tenure track - LRW professional
 - c) contract track faculty - non-LRW professional
 - d) contract track faculty - LRW professional
 - e) no one
 - f) other
84. Does the supervisor have a J.D.?
- a) yes
 - b) no
85. What level are the students?
- a) first
 - b) second
 - c) third
 - d) other _____
86. What is the compensation for student instructors?
- a) salary - Please specify _____
 - b) credits - Please specify _____
 - c) combination of salary and credits - Please specify _____
 - d) other _____
87. Do the student instructors receive a tuition waiver?
- a) yes
 - b) no
88. How many semester credit hours do law student instructors receive?
- a) one
 - b) two
 - c) three
 - d) four
89. What is the percentage of female graduate student instructors?
- a) 0 - 25%
 - b) 26 - 50%
 - c) 51 - 75%
 - d) 76 - 100%
90. How many semesters are students allowed to teach LRW?
- a) one
 - b) two
 - c) three
 - d) four
 - e) five or more - Please specify _____
91. On the average, how many semesters do students teach LRW?
- a) one
 - b) two
 - c) three
 - d) four
 - e) five or more - Please specify _____
92. What is your average yearly budget (not including salaries)?
- a) \$0 - 50,000
 - b) \$50,001 - 100,000
 - c) \$100,001 - 150,000
 - d) over \$150,000

Graduate Law Students Only

93. Who supervises the students?
a) tenure track faculty - non-LRW professional
b) tenure track - LRW professional
c) contract track faculty - non-LRW professional
d) contract track faculty - LRW professional
e) no one
f) other
94. Does the supervisor have a J.D.?
a) yes
b) no
95. What is the compensation for student instructors?
a) salary - Please specify _____
b) credits - Please specify _____
c) combination of salary and credits - Please specify _____
d) other _____
96. Do the graduate student instructors receive a tuition waiver?
a) yes
b) no
97. What is the salary for graduate student legal research and writing instructors?
a) under \$10,000 c) \$15,001 - 20,000
b) \$10,001 - 15,000 d) over \$20,000
98. What is the percentage of female graduate student instructors?
a) 0 - 25% c) 51 - 75%
b) 26 - 50% d) 76 - 100%
99. How many semesters are students allowed to teach LRW?
a) one c) three e) five or more - Please specify _____
b) two d) four
100. On the average, how many semesters do students teach LRW?
a) one c) three e) five or more - Please specify _____
b) two d) four
101. What is your average yearly budget (not including salaries)?
a) \$0 - 50,000 c) \$100,001 - 150,000
b) \$50,001 - 100,000 d) over \$150,000

108. Below, please write a summary of your LRW program. Please include: 1) length of course; 2) credits allotted; 3) research assignments given; 4) writing assignments given; and 5) rewrites and conferences required.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Notes on Contributors

Joseph M. Williams is a Professor of English and Linguistics at the University of Chicago. Among his publications is the book *Style*, available both in a textbook edition and in a professional edition. He also serves as a communications consultant to law firms, corporations, and governmental agencies.

James F. Stratman, who holds a Ph.D. in Rhetoric, is currently an Assistant Professor in the Master of Science in Technical Communication Program at the University of Colorado at Denver. His current teaching interests include legal reasoning and writing, technical writing and editing, and human behavioral research methods. He has publications in legal, composition, education, and industrial relations journals.

George D. Gopen was educated both in the law and in graduate English studies at Harvard University. He is Director of Writing Programs and Professor of the Practice of Rhetoric at Duke University. His publications focus on the analysis of Rhetoric and on the rhetorical analysis of literature. He also serves as a consultant to a large number of academic institutions, law firms, and corporations.

Kary D. Smout holds a Ph.D. in Rhetoric from Duke University, where he wrote his dissertation on the creation/evolution controversy. He is presently an Assistant Professor of English and Director of the Writing Program at Washington and Lee University.

Jill J. Ramsfield is currently an Associate Professor of Law and Director of the Legal Research and Writing Program at Georgetown University Law Center. She is also president of her own consulting firm. She received a B.A. from Wellesley College and a B.M. and J.D. from the University of Wisconsin. Ms. Ramsfield has created an approach to research, writing, and time management that is geared to the legal writer who must shorten the amount of time spent without sacrificing quality.